

1 of 1 DOCUMENT

Annotated Code of Maryland
Copyright 2006 by Matthew Bender and Company, Inc.
a member of the LexisNexis Group
All rights reserved.

*** CURRENT THROUGH THE 2005 REGULAR SESSION AND CHAPTERS 1 THROUGH 17
OF THE 2006 REGULAR SESSION ***

*** ANNOTATIONS ARE CURRENT THROUGH JUNE 2, 2006 ***

EDUCATION
DIVISION II. ELEMENTARY AND SECONDARY EDUCATION
TITLE 7. PUBLIC SCHOOLS
SUBTITLE 4. HEALTH AND SAFETY OF STUDENTS

GO TO MARYLAND STATUTES ARCHIVE DIRECTORY

Md. EDUCATION Code Ann. § 7-424 (2006)

THIS SECTION HAS MORE THAN ONE DOCUMENT WITH VARYING EFFECTIVE DATES.

§ 7-424. Reporting incidents of harassment or intimidation against students. [Section subject to abrogation]

(a) "Harassment or intimidation" defined. — In this section, "harassment or intimidation" means conduct, including verbal conduct, that:

(1) Creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being and is:

(i) Motivated by an actual or a perceived personal characteristic such as race, national origin, marital status, sex, sexual orientation, gender identity, religion, or disability; or

(ii) Threatening or seriously intimidating; and

(2) Occurs on school property, at a school activity or event, or on a school bus.

(b) Report required. —

(1) The Department shall require a county board to report incidents of harassment or intimidation against students attending a public school under the jurisdiction of the county board.

(2) An incident of harassment or intimidation may be reported by a student or the parent, guardian, or close adult relative of a student.

(c) Contents; distribution. —

(1) The Department shall create a standard victim of harassment or intimidation report form.

(2) Each victim of harassment or intimidation report form shall:

(i) Identify the victim and the alleged perpetrator, if known;

(ii) Indicate the age of the victim and alleged perpetrator;

(iii) Describe the incident, including alleged statements made by the alleged perpetrator;

(iv) Indicate the location of the incident;

(v) Identify any physical injury suffered by the victim and describe the seriousness and any permanent effects of the injury;

(vi) Indicate the number of days a student is absent from school, if any, as a result of the incident;

(vii) Identify any request for psychological services initiated by the victim or the victim's family due to psychological injuries suffered; and

(viii) Include instructions on how to fill out the form and the mailing address to where the form shall be sent.

(3) A county board shall distribute copies of the victim of harassment or intimidation report form to each public school under the county board's jurisdiction.

(d) County boards to provide annual summaries of reports to State Board; confidentiality. —

(1) Each county board shall submit summaries of report forms filed with the county board to the State Board on or before January 31 each year.

(2) A county board shall delete any information that identifies an individual.

(e) Departmental reporting to General Assembly. —

(1) The Department shall submit a report on or before March 31 each year to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee, in accordance with § 2-1246 of the *State Government Article*, consisting of a summary of the information included in the victim of harassment or intimidation report forms filed with the county boards the previous year.

(2) The report submitted by the Department shall include, to the extent feasible:

(i) A description of the act constituting the harassment or intimidation;

(ii) The age of the victim and alleged perpetrator;

(iii) The allegation of the alleged perpetrator's motive;

(iv) A description of the investigation of the complaint and any corrective action taken by the appropriate school authorities;

(v) The number of days a student is absent from school, if any, as a result of the incident; and

(vi) The number of false allegations reported.

HISTORY: 2005, ch. 547.

NOTES:

EDITOR'S NOTE.—Chapters 196, 302/303 (crossfiled), 312 and 547, Acts 2005, all added a § 7-421. None of the 2005 amendments referred to the other, and the sections have been redesignated by chapter order as follows: Chapters 302/303 is redesignated as § 7-422; ch. 312 as § 7-423; and ch. 547 as § 7-424.

Section 2, ch. 547, Acts 2005, provides that "this Act shall take effect July 1, 2005. It shall remain effective for a period of 4 years and, at the end of June 30, 2009, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."